

Most important to my support, I have known Justice Hurwitz for literally four decades, so I am exceptionally familiar with his professional and personal background and am certain that he will be an outstanding addition to the Ninth Circuit Court of Appeals.

I first met him at Yale Law School, where we worked together on the Yale Law Journal. He attended Yale after graduating from Princeton University in 1968. Our lives intersected again when I followed him as a law clerk to Judge Jon O. Newman and then as a law clerk on the U.S. Supreme Court, although in different years and for different Justices. At every step of his career as a litigator and judge, as well as student and law clerk, he has been a paragon of intellect and integrity.

Justice Hurwitz has built a distinguished record while serving on the Arizona Supreme Court. Time and again, he has demonstrated an extraordinary capacity for analysis, thoughtfulness, and insight when facing the most complex and challenging questions of law. He has the qualifications, both professionally and personally, to be a great Federal judge. His reasoning is often of such a caliber that even on highly contested or controversial issues he has been able to build consensus on the court. Indeed, many of his most significant opinions were joined by all members of the Arizona Supreme Court.

Before his appointment to the Arizona Supreme Court, Justice Hurwitz spent 25 years in private practice in Arizona, where he represented a wide range of interests—from AT&T and the American Broadcasting Company to the city of Phoenix and the Arizona State Compensation Fund. He also developed a specialty in Native American law, representing, among others, the Salt River Pima-Maricopa Indian Community and the Hopi Tribe. Much of the work he did during his years of practice involved complex appellate litigation, including numerous arguments before the Ninth Circuit and two before the U.S. Supreme Court. This experience gives Justice Hurwitz familiarity with a broad swath of Federal law.

Equally impressive is Justice Hurwitz's commitment to pro bono work and public service. While in private practice, Justice Hurwitz argued and won a groundbreaking death penalty Supreme Court case, *Ring v. Arizona*, to vindicate the rights of death row inmates sentenced by judges rather than juries. He also took time out of his successful practice to work in Arizona government. Among other projects, Justice Hurwitz was responsible for creating the Arizona Health Care Cost Containment System, a program designed to rein in State Medicaid costs. He also worked with the Reagan administration to implement greater control over transportation and education for State agencies. He served from 1988 until 1996 on the Arizona Board of Regents, including as board president. During his tenure, he

led an effort to require annual reports from universities certifying they had reached mandated educational goals. His commitment to public service work shows a dedication to the legal system that I believe should be shared by all members of the Federal bench.

Throughout the 40 years I have known him, Justice Hurwitz has always been open about his passion for the law. From private practice to government to serving on the Arizona Supreme Court, he has shown unparalleled legal acumen and a devotion to public service. I have no doubt that his adherence to precedent, coupled with his passion and his wisdom, will serve this Nation well. President Obama has made a truly excellent nomination that will benefit the cause of justice in our Nation for many years to come.

ETHIOPIAN FREE PRESS ASSAULT

Mr. LEAHY. Mr. President, later this month, I and other Members of Congress will be watching what happens in a courtroom 7,000 miles from Washington, in Addis Ababa, Ethiopia.

That is where a journalist named Eskinder Nega stands accused of supporting terrorism simply for refusing to remain silent about the Ethiopian government's increasingly authoritarian drift. The trial is finished, and a verdict is expected on June 21.

Mr. Eskinder is not alone. Since 2011, the Ethiopian government has charged 10 other journalists with terrorism or threatening national security for questioning government actions and policies—activities that you and I and people around the world would recognize as fundamental to any free press. Ironically, by trying to silence those who do not toe the official line, the government is only helping to underscore the concerns that many inside and outside of Ethiopia share about the deterioration of democracy and human rights in that country.

Ethiopia is an important partner for the United States in at least two key areas: containing the real threat of terrorism in the region, and making gains against the region's recurring famines and fostering the kind of development that can bring the cycle of poverty and hunger to an end. The United States has provided large amounts of assistance in furtherance of both goals, because a stable, democratic Ethiopia could exert a positive influence throughout the Horn of Africa and help point the way to a more peaceful and prosperous future.

That is why President Obama invited Prime Minister Meles Zenawi to last month's G-8 Summit at Camp David. The subject was food security, and Prime Minister Meles and the leaders of several other African countries helped inaugurate a new public-private alliance for nutrition that aims to increase agricultural production and lift 50 million people out of poverty in the next 10 years. I can think of nothing that will do more to further peace and

prosperity of the region than this kind of targeted, practical, and cooperative initiative.

But initiatives like this depend for their success on broad national consultation, transparency and accountability. Consultation to integrate ideas from diverse perspectives, transparency to maintain partner confidence that their investment is reaching its targets, and accountability to ensure it produces the desired results. And transparency and accountability depend, in no small part, on a free press.

In Ethiopia, that means enabling journalists like Eskinder Nega to do their work of reporting and peaceful political participation.

But seven times in Prime Minister Meles's 20-year rule, Mr. Eskinder has been detained for his reporting. In 2005, he and his journalist wife Serkalem Fasil were imprisoned for reporting on protests following that year's disputed national elections. They spent 17 months in prison, their newspapers were shut down, and Mr. Eskinder has been denied a license to practice journalism ever since. Yet he carried on, publishing articles online that highlight the government's denial of human rights and calling for an end to political repression and corruption.

In some of those articles, Mr. Eskinder specifically criticized the Meles government for misusing a vaguely-worded 2009 antiterrorism law to jail journalists and political opponents. Now he stands accused of terrorism. At his trial, which opened in Addis Ababa on March 6, the government reportedly offered as evidence against him a video of a town hall meeting in which Mr. Eskinder discusses the Arab spring and speculates on whether similar protests were possible in Ethiopia. If convicted, he could face the death penalty.

The trial of Eskinder Nega, the imprisonment of several of his colleagues on similar spurious charges, and the fact that Ethiopia has driven so many journalists into exile over the last decade has eroded confidence in Prime Minister Meles' commitment to press freedom and to other individual liberties that are guaranteed by the Ethiopian constitution and fundamental to any democracy.

The United States and Ethiopia share important interests, and the administration's fiscal year 2013 budget requests \$350 million in assistance for Ethiopia. However, to the extent that any of that assistance is intended for the Ethiopian government, the importance of respecting freedom of the press cannot be overstated. What happens to Mr. Eskinder and other journalists there will resonate loudly not only in Ethiopia, but also in the United States Congress.

FLAG DAY

Mr. CARDIN. Mr. President, I rise today to commemorate the 96th anniversary of Flag Day in the United